IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25340 of 2008
MD.RAHMAN
Versus
STATE OF BIHAR
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2 2.7.2008 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner has been in custody for almost a year because he is an accused under sections 363 and 366(A) of the Indian Penal Code in Harlakhi P.S. No. 38 of 2007 ( Sessions Trial No. 788 of 2007). Though the petitioner has been named as an accused and he has also been seen along with the company of other person who has kidnapped the victim girl, the victim girl has not alleged anything serious against him. This Court vide earlier order dated 18.12.2007 had however granted indulgence to the petitioner to renew his prayer for bail after six months. It is also stated that the trial in the matter has not proceeded. Looking at the role assigned to the petitioner he deserves indulgence of bail.

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Let the petitioner, namely, Md. Rahman therefore be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rs. Twenty thousand) with two sureties of the like amount each to the satisfaction of F.T.C. I, Madhubani in connection with Sessions Trial No. 788 of 2007 ( Harlakhi P.S. Case No. 38 of 2007) subject to the condition that one of the sureties shall be executed by the father of the petitioner.

It is made clear that if the petitioner does not appear before the court below either in person or through his

counsel during the course of trial or abstain for no cogent reason it will be open to the trial court to consider cancellation of his bail.

RPS (Ajay Kumar Tripathi,J.)

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